

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

| | | |
|-----------------------------|---|----------------------------|
| SONIA JAUDON, | : | |
| | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | CASE NO. 3:05CV01067 (RNC) |
| | : | |
| PAULA ANTONUCCI D/B/A | : | |
| LUDWIGS AUTO SALES, ET AL., | : | |
| | : | |
| Defendants. | : | |

RULING ON MOTION FOR SANCTIONS

Pending before the court are plaintiff Sonia Jaudon's motions for sanctions and attorney's fees (docs. #39, 40) against defendant Source One Financial Corp. ("SOFC"). The plaintiff's Motion to Compel discovery responses was granted on April 12, 2006 (doc. #35). Pursuant to Local Rule 37(a)(5), "compliance with discovery ordered by the Court shall be made within ten (10) days of the filing of the Court's order." SOFC's responses were not served within this ten-day deadline.

SOFC argues that the delay was short and was "substantially justified" because it was making good faith efforts to collect documents from various storage locations. SOFC also contends that the plaintiff was not prejudiced, because she obtained an extension of time to prepare her objection to SOFC's motion to dismiss or stay pending arbitration.

Whatever the reasons for the delay, a party may not simply ignore the applicable deadlines. If SOFC required additional time to respond, it should have requested an extension of the

deadline. The fact that the plaintiff was subsequently granted an extension of time that allowed her to overcome any prejudice caused by the delay does not excuse the defendant's delay.¹

As sanctions, the plaintiff seeks to recover the attorney's fees she incurred in bringing the Motion to Compel. The court finds that the billing rate and the time spent on the motion to compel were reasonable. The court deducts one hour for the January 27 and February 7 discussions between plaintiff's counsel and SOFC's counsel, which appear to have been discussions towards resolving the discovery dispute as required by Local Rule 37(a). The court therefore awards the plaintiff her attorney's fees in the amount of \$1,787.50.

SO ORDERED at Hartford, Connecticut this 15th day of November, 2006.

_____/s/_____
Donna F. Martinez
United States Magistrate Judge

¹Moreover, SOFC concedes that it had agreed to the discovery well before the Motion to Compel was filed. Thus, the plaintiff was forced to pursue court intervention for discovery requests that were not even disputed.